

REMARKS

In the Office Action, claims 20-22 and 25 are allowed, claim 27 is rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 4,657,390 to Doyle (“Doyle”), claims 23, 24, 26 and 33-34 are objected to for certain claim formalities and claims 28-32, 35 and 36 are objected to for depending on a rejected base claim. Applicants have amended the claims and believe that all claims are now in allowable form. Accordingly, Applicants respectfully request reconsideration of the claims and withdrawal of all objections and rejections. Upon entry of this Amendment, claims 21-36 will be pending in the application.

Allowable Subject Matter

Applicants initially thank the Examiner for acknowledging the allowability of claims 20-22 and 25 and for noting the presence of allowable subject matter in claims 23, 24, 26 and 28-36. The objections to claims 23, 24, 26, and 32-34 are addressed below. Claim 28 is cancelled.

Claim 29 previously depended directly from independent claim 27. In this response, all limitations of claim 27 have been added to claim 29 and claim 29 has been amended to independent form as suggested in the Office Action. Therefore, the objection to claim 29 should be withdrawn. Claims 30 and 31 depend from claim 29 and the objections to these claims should also be withdrawn.

Claim 35 previously depended directly from independent claim 27. In this response, all limitations of claim 27 have been added to claim 35 and claim 35 has been amended to independent form as suggested in the Office Action. Therefore, the objection to claim 35 should be withdrawn. Claim 36 depends from claim 35 and the objection to this claim should also be withdrawn.

The Rejection of claim 27 Under 35 U.S.C. §102

In the interests of expediting prosecution of the Application, Applicants have amended claim 27 to include all limitations of previously submitted claim 28. Claim 28 was identified by the Office Action as including allowable subject matter. Consequently, the §102 rejection of claim 27 is moot and Applicants request withdrawal of the rejection. Applicants reserve the right to pursue prosecution of previously filed claim 27 in a continuation application and consequently decline to address the rejections based on Doyle at this time.

The Objections to Claims 23, 24, 26, 33 and 34

Regarding claims 23, 24 and 32, Applicants have amended claim 23 to replace "the excitation light" with "the incoming light." The latter term has an antecedent basis, found in claim 20, and the objections to claims 23 and to claims 24 and 32 which depend from claim 23 should therefore be withdrawn.

Regarding claim 26, Applicants have amended the claim to depend from claim 25 which provides a proper antecedent basis for "the output director" and "the output port." Therefore, the objections to claim 26 should be withdrawn.

Regarding claims 33 and 34, Applicants have amended claim 33 to replace "the excitation light" with "the incoming light." The latter term has an antecedent basis, found in claim 20 and the objection to claims 33 and 34 should therefore be withdrawn.

CONCLUSION

All objections and rejections having been addressed, and in view of the amendments described above, all remaining claims are believed to be in form for allowance, and issuance of a notice to that effect is earnestly solicited. The Examiner is kindly requested to contact the undersigned at the telephone number listed below if any points remain in issue which may be best resolved through a personal or telephone interview.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975, referencing invoice number 016417-0305324. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP



ANTHONY G. SMYTH
Reg. No. 55,636
Tel. No. 858.509.4007
Fax No. 858 509.4010

Date: February 29, 2008
12255 El Camino Real, Suite 300
San Diego, CA 92130-4088
(619) 234-5000